

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Julio Morales,

Plaintiff,

–v–

Andrew Saul,

Defendant.

16-cv-0031 (AJN) (BCM)

ORDER

ALISON J. NATHAN, District Judge:

Before the Court is Judge Moses’s December 16, 2019 Report & Recommendation (“R & R”) recommending that the Court grant Plaintiff’s motion for an order approving a contingent fee arrangement in this social security case. *See* Dkt. No. 31.

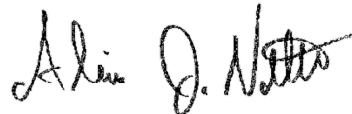
When considering the findings and recommendations of a magistrate judge, the Court may “accept, reject, or modify [them], in whole or in part.” 28 U.S.C. § 636(b)(1). The Court must make a *de novo* determination of any portions of a magistrate’s report, findings, or recommendations to which a party raises an objection, and reviews only for “clear error on the face of the record” when there are no objections to the R & R. *Brennan v. Colvin*, No. 13-cv-6338 (AJN) (RLE), 2015 WL 1402204, at \*1 (S.D.N.Y. Mar. 25, 2015); *see also Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at \*1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F. Supp. 2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been committed.” *Laster v. Mancini*, No. 07-cv-8265 (DAB) (MHD), 2013 WL 5405468, at \*2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

Objections to Judge Moses's R & R were due by December 30, 2019. *See* Dkt. No. 31 at 5; *see also* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2). As of the date of this Order, no objections have been filed. The Court thus reviews the R & R for clear error and finds none. The Court therefore adopts the R & R in its entirety and GRANTS Plaintiff's motion. The Social Security Administration is hereby directed to approve a payment of \$29,000 to Plaintiff's attorney, Christopher J. Bowes, and upon receipt of payment, Mr. Bowes shall promptly refund \$5,021 to Plaintiff.

This order resolves Dkt. No. 27.

SO ORDERED.

Dated: August 14, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written above a horizontal line.

ALISON J. NATHAN  
United States District Judge